HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.6006 of 2000

Dated 23rd Day of July, 2007

Between:

Karuna Cables Employees Union, rep. by
its Joint Secretary, Naga Malleswara Reddy,
Bachipalli village ..
Petitioner

And

The Government of A.P.,
rep. by its Secretary for Labour and
Employment, Secretariat, Hyderabad
and four others ..
Respondents

O R D E R:

This writ petition is filed seeking a mandamus to declare the Notice dated 10.12.1999 issued by the 4th respondent retrenching the members of the petitioner-union from the 5th respondent-factory with a view to closing down the factory at Bollaram village, Narsapur Mandal, Medak District with effect from 10.1.2000 as illegal and arbitrary.

The case of the petitioner-union is that its members are the employees of the 5th respondent-factory with various designations and they are eking out their livelihood on the factory. The 5th respondent engaged 50 to 100 other casual labourers on daily wage basis. Now, the petitioner's grievance is that the 4th respondent addressed a letter dated 10.12.1999 to the 1st respondent-Government retrenching the members of the petitioner-employees union from the 5th respondent-factory with a view to closing down the factory which is in violation of Sections 25-FFA and 25-F of the Industrial Disputes Act, 1947. Further, the 5th respondent has not paid the members of the petitioner-union, either provident fund or retrenchment compensation.

Heard the learned counsel for both the parties.

In fact, it is not known as to what happened in pursuance of the impugned letter. Unless some action is initiated, no direction upholding the right of the members of the petitioner-union can be issued to the respondents. Hence, this writ petition is pre-mature.

In the result, the writ petition is dismissed as premature.

However, liberty is given to the petitioner to approach this Court as and when a final order is passed by the 5th respondent-factory. No costs.

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23.07.2007

bcj